

SENATE
JUDICIARY
COMMITTEE CALENDAR

TUESDAY, APRIL 14, 2009
1:30 P.M. - LEGISLATIVE PLAZA ROOM 12

COMMITTEE MEMBERS:

BEAVERS (R) CHAIRMAN
JACKSON (D) VICE CHAIRMAN
OVERBEY (R) SECRETARY

BLACK (R)
BUNCH (R)
FAULK (R)

KYLE (D)
MARRERO (D)
STANLEY (R)

BUDGET PRESENTATIONS

TENNESSEE BUREAU OF INVESTIGATION
ATTORNEY GENERAL AND REPORTER

REGULAR CALENDAR

1. SB 0673 by *Norris (*HB 0607 by *DeBerry J)

Sentencing - As introduced, requires service of a certain percentage of the sentence that certain repeat offenders receive upon conviction for aggravated robbery with a firearm.
- Amends TCA Title 40, Chapter 35.

2. SB 0910 by *Burks (*HB 0328 by *Jones S)

Evidence - As introduced, specifies that in any criminal proceeding involving certain sex offenses committed against a victim less than 13 years of age the testimony of a forensic interviewer is admissible. - Amends TCA Title 9, Chapter 4, Part 2; Title 24, Chapter 7, Part 1; Title 37, Chapter 1 and Title 40, Chapter 17.

3. SB 0683 by *Woodson (*HB 0403 by *Sontany)

Courts - As introduced, prohibits any person who has, or has had in the past two years, a sexual relationship with a party or a party's attorney from recording or transcribing for submission to any court or administrative tribunal any hearing in an action involving such party or such party's attorney. - Amends TCA Title 24, Chapter 9, Part 1.

4. *SB 1283 by *Bunch (HB 1598 by *Lynn)

Religion and Religious Organizations - As introduced, prohibits a government entity from substantially burdening a person's free exercise of religion unless it demonstrates the application of the burden is essential to further a compelling government interest and is the least restrictive means of furthering that interest. -

5. *SB 0066 by *Bunch (HB 0516 by *Matheny)

Criminal Offenses - As introduced, creates theft offense of making false statement or concealment of material fact for purpose of obtaining accommodation in housing project of a housing authority or for paying less rent than required for such dwelling. - Amends TCA Title 39, Chapter 11, Part 1 and Title 39, Chapter 14, Part 1.

6. SB 0481 by *Bunch (*HB 0433 by *Bell)

Methamphetamine - As introduced, creates Class A misdemeanor offense of dumping chemicals, equipment, or other by-products used in the manufacture of methamphetamine and requires defendant to reimburse governmental entity for cost of clean-up. - Amends TCA Title 39, Chapter 17, Part 4.

7. SB 0070 by *Bunch (*HB 0054 by *Swafford)

Criminal Offenses - As introduced, creates Class A misdemeanor offense of owner or employee of intellectual property seizing property alleged to be counterfeit or imitation but permits seizures by law enforcement officers as currently provided by law. - Amends TCA Title 39, Chapter 14 and Title 47.

8. *SB 1976 by *Burchett (HB 1814 by *Harwell)

Criminal Offenses - As introduced, modifies certain statutory provisions pertaining to certain types of theft. - Amends TCA Title 39, Chapter 14, Part 1.

9. *SB 0497 by *Burchett (HB 1724 by *Lundberg)

Criminal Offenses - As introduced, creates new felony criminal offense "retail theft." - Amends TCA Title 39, Chapter 14 and Title 40.

10. *SB 1525 by *Burchett (HB 1528 by *Brooks H)

Civil Procedure - As introduced, enacts the "Private Process Servers Regulatory Act of 2009." - Amends TCA Title 62.

11. SB 1557 by *Burchett (*HB 1117 by *Casada)

Law Enforcement - As introduced, requires POST commission to establish by rule how this state will implement the federal "Law Enforcement Officers Safety Act of 2004," relative to the carrying of firearms by qualified and retired law enforcement officers. - Amends TCA Title 38, Chapter 8.

12. *SB 0537 by *Ketron (HB 0627 by *Maggart, Weaver, Sargent)

Criminal Offenses - As introduced, increases penalty for spectators at animal fight to Class A misdemeanor from Class B misdemeanor for dog fights and Class C misdemeanor for other animal fights. - Amends TCA Title 39, Chapter 14, Part 2.

13. SB 0275 by *Ketron (*HB 0234 by *Todd)

Law Enforcement - As introduced, requires law enforcement agencies to open shooting ranges to retired, full-time, commissioned law enforcement officers when not used by law enforcement personnel, in addition to present, permissible use by general public. - Amends TCA Section 38-8-116.

14. SB 0010 by *Watson (*HB 0013 by *Floyd)

Bail, Bail Bonds - As introduced, when determining the amount of bail, creates a presumption that any defendant not lawfully present in the United States is a risk of flight. - Amends TCA Title 40.

15. SB 2102 by *Watson (*HB 2109 by *Floyd)

Tort Liability and Reform - As introduced, limits the civil liability of persons who own, lease, occupy, or control land when others use such land to engage in certain off-road activities and are injured due to the inherent risks associated with engaging in such activities. - Amends TCA Title 70, Chapter 7.

16. SB 0474 by *Berke (*HB 0070 by *Fincher, Evans)

Criminal Procedure - As introduced, deletes subsection in self-defense law providing that a person not justified in use of deadly force to prevent or terminate trespass on real property or unlawful interference with personal property. - Amends TCA Title 39, Chapter 11, Part 6.

17. SB 0476 by *Berke (*HB 0069 by *Fincher, Hardaway)

Witnesses - As introduced, prohibits a party in a divorce proceeding from testifying against the party's incapacitated or mentally incompetent spouse. - Amends TCA Title 24, Chapter 1.

18. *SJR 0077 by *Berke

Constitutional Amendments - Proposes statewide popular election of the lieutenant governor, attorney general and reporter, and secretary of state. –

19. *SB 0261 by *Jackson (HB 0596 by *Coleman)

Law Enforcement - As introduced, requires that all statements made by a person during a custodial interrogation relating to a homicide must be electronically recorded and preserved. - Amends TCA Title 40, Chapter 7.

20. *SB 0444 by *Overbey (HB 0608 by *Stewart)

Guardianship - As introduced, enacts the "Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act." - Amends TCA Title 34 and Title 71.

21. SB 0965 by *Faulk (*HB 0719 by *Niceley)

DUI/DWI Offenses - As introduced, creates within the department of safety a "Repeat DUI Offender" registry of persons who have two or more DUI convictions and whose license is currently suspended or revoked; makes the registry available on the Internet. - Amends TCA Title 55, Chapter 10, Part 4.

22. SB 2296 by *Kyle, Marrero B (*HB 2254 by *Yokley, Turner M)

Abuse - As introduced, revises certain reporting and investigatory requirements concerning abused adults. - Amends TCA Title 71, Chapter 6, Part 1.

23. SB 1333 by *Yager (*HB 1151 by *Ferguson)

Deeds - As introduced, requires that instruments affecting or disposing of real property must state the acreage of the real estate in order to be accepted for recording or filing. - Amends TCA Title 66.

24. SB 1338 by *Yager (*HB 0938 by *Ferguson)

County Officers - As introduced, allows Roane County to abolish or remove law enforcement powers from the office of constable upon two-thirds vote of the county legislative body. - Amends TCA Title 8, Chapter 10, Part 1.

25. SB 1692 by *Yager (*HB 1267 by *Faulkner)

Public Defenders - As introduced, allows multi-county judicial district option of sending any local funds received to the executive director of the district public defenders conference for disbursement or to keep such funds for disbursement through the district's office. - Amends TCA Title 8, Chapter 14.

26. *SB 1168 by *Finney L, Stanley, Barnes (HB 1228 by *Fitzhugh)

Criminal Offenses - As introduced, creates Class B misdemeanor for improper wearing of military decorations or falsely representing that one has been awarded military decorations. - Amends TCA Title 39, Chapter 14 and Title 58, Chapter 1.

27. *SB 1709 by *Herron (HB 2106 by *Fincher)

Women - As introduced, enacts the "Tennessee Pregnant Women Support Act." - Amends TCA Title 49; Title 56; Title 63; Title 68 and Title 71.

28. *SB 1776 by *Herron (HB 2034 by *Maddox)

Abuse - As introduced, revises definitions of "adult" and "imminent danger" in the adult protection statute. - Amends TCA Title 71, Chapter 6.

29. SB 1783 by *Herron (*HB 0402 by *Borchert)

County Officers - As introduced, allows Henry County to abolish office of constable or remove law enforcement powers of constables upon two-thirds vote of governing body. - Amends TCA Title 8, Chapter 10, Part 1.

30. *SB 1797 by *Herron (HB 2107 by *Fincher)

Physicians and Surgeons - As introduced, permits physicians to perform medical care services at certain free health clinics and receive liability protection if the clinic charges patients fees at a level approved by the commissioner of health. - Amends TCA Title 63.

31. SB 1800 by *Herron (*HB 0445 by *Maddox)

Abortion - As introduced, requires informed consent prior to an abortion; requires a 24-hour waiting period prior to an abortion; establishes an exception to informed consent and waiting period requirements when necessary to protect the life or health of the woman; clarifies that abortions performed during viability of the fetus must be performed in a hospital. - Amends TCA Title 39, Chapter 15, Part 2.

32. SB 1805 by *Herron (*HB 0391 by *Fincher)

Criminal Offenses - As introduced, makes price-gouging of gasoline during a state of emergency a Class A misdemeanor. - Amends TCA Title 39, Chapter 17, Part 1 and Title 47, Chapter 18, Part 51.

33. *SB 1806 by *Herron (HB 2236 by *Coleman)

Judges and Chancellors - As introduced, requires judicial selection committee to hold selection meetings in public; requires committee to rate all applicants rather than submit three nominees to governor. - Amends TCA Title 2; Title 4, Chapter 29, Part 2; Title 16 and Title 17.

34. *SB 1807 by *Herron (HB 2237 by *Coleman)

Judges and Chancellors - As introduced, removes authorization for the judicial selection commission to meet in private. - Amends TCA Title 17, Chapter 4.